

**PLANNING BOARD RESOLUTION
NUMBER 2014-01**


**A RESOLUTION OF THE KEY WEST PLANNING BOARD
GRANTING A CONDITIONAL USE APPROVAL PER
SECTION 122-62 AND 122-63 OF THE CODE OF
ORDINANCES FOR A FOUR-SEAT WINE BAR ACCESSORY
TO A CLOTHING STORE LOCATED AT 611 DUVAL
STREET (RE# 00012330-000000 & AK#1012670) IN THE
HISTORIC RESIDENTIAL COMMERCIAL CORE – DUVAL
STREET/GULFSIDE (HRCC-1) ZONING DISTRICT,
PURSUANT TO SECTION 122-688(9) OF THE CODE OF
ORDINANCES, KEY WEST FLORIDA; PROVIDING FOR AN
EFFECTIVE DATE.**

WHEREAS, the subject property is located in the Historic Residential Commercial Core – Duval Street Gulfside (HRCC-1) zoning district; and

WHEREAS, Section 122-688(9) of the Code of Ordinances provides that bars and lounges are allowed as a conditional use within the Historic Residential Commercial Core- Duval Street Gulfside (HRCC-1) zoning district; and

WHEREAS, Section 122-61 of the Code of Ordinances allows applicants to request a conditional use approval; and

WHEREAS, the applicant filed a conditional use application to sell beer and wine accessory

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to a clothing store at 611 Duval Street; and

WHEREAS, Section 122-62 outlines the criteria for reviewing a conditional use application by the Planning Board; and

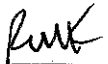
WHEREAS, this matter came before the Planning Board at a duly noticed public hearing on January 16, 2014; and


WHEREAS, the Planning Board found that the proposed use complies with the criteria in Section 122-62; and

WHEREAS, the approval of the conditional use application will be in harmony with the general purpose and intent of the Land Development Regulations, and will not be injurious to the neighborhood, or otherwise detrimental to the public welfare; and

NOW THEREFORE, BE IT RESOLVED by the Planning Board of the City of Key West, Florida:

Section 1. That the above recitals are incorporated by reference as fully set forth herein.

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Section 2. That a conditional use request, under the Code of Ordinances of the City of Key West, Florida, per Section 122-688(9) is hereby approved as follows: allowing a 60 square foot indoor consumption area for an accessory wine bar for property located at 611 Duval Street (RE# 00012330-000000 &AK#1012670), Key West, Florida, as shown in the attached survey and floor plan received September 3, 2013 with the following conditions applied to a Conditional Use Approval Permit:

1. Hours of operation are limited as follows: Monday through Sundays from 10am to 10pm.
2. The accessory four-seat wine bar is approved for the indoor sale and consumption of beer and wine only.
3. There will be no amplified live music or outdoor music on the premises.
4. There will be no additional seats or consumption area allowed without further City approvals.

Section 3. Full, complete, and final application for all permits required for which this resolution is wholly or partly necessary, shall be submitted in its entirety within 12 months after the date hereof.

Section 4. This conditional use approval does not constitute a finding as to ownership or right to possession of the property, and assumes, without finding, the correctness of applicant's

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assertion of legal authority respecting the property.

Section 5. This resolution shall go into effect immediately upon its passage and adoption and authentication by the signatures of the presiding officer and the Clerk of the Commission.

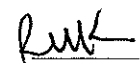
Section 6. This resolution is subject to appeal periods as provided by the City of Key West Code of Ordinances (including the Land Development Regulations). After the City appeal period has expired, this permit or development order will be rendered to the Florida Department of Economic Opportunity. Pursuant to Chapter 9J-1, F.A.C., this permit or development order is not effective for forty five (45) days after it has been properly rendered to the DEO with all exhibits and applications attached to or incorporated by reference in this approval; that within the forty five (45) day review period the DCA can appeal the permit or development order to the Florida Land and Water Adjudicatory Commission; and that such an appeal stays the effectiveness of the permit until the appeal is resolved by agreement or order.

Section 7. The applicant shall obtain and maintain a Conditional Approval Permit from the City prior to issuance of a Certificate of Occupancy per Ordinance Number 10-22.

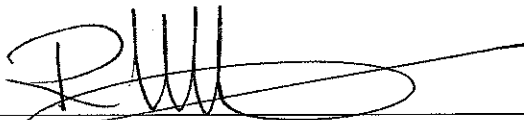
Read and passed on first reading at a regular meeting held this 16th day of January, 2014.

Authenticated by the Chairman of the Planning Board and the Planning Director.

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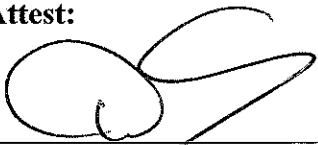
 Chairman

 Planning Director


Richard Klitenick, Chairman
Key West Planning Board

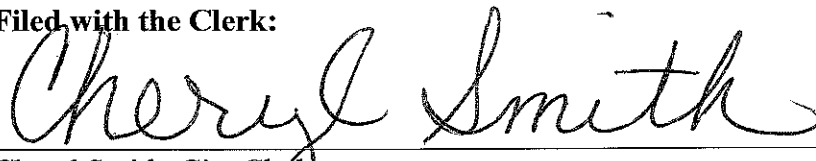
1/10/14
Date

Attest:

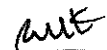

Donald Leland Craig, AICP
Planning Director


1.17.14
Date

Filed with the Clerk:


Cheryl Smith, City Clerk

1-21-14
Date

 Chairman

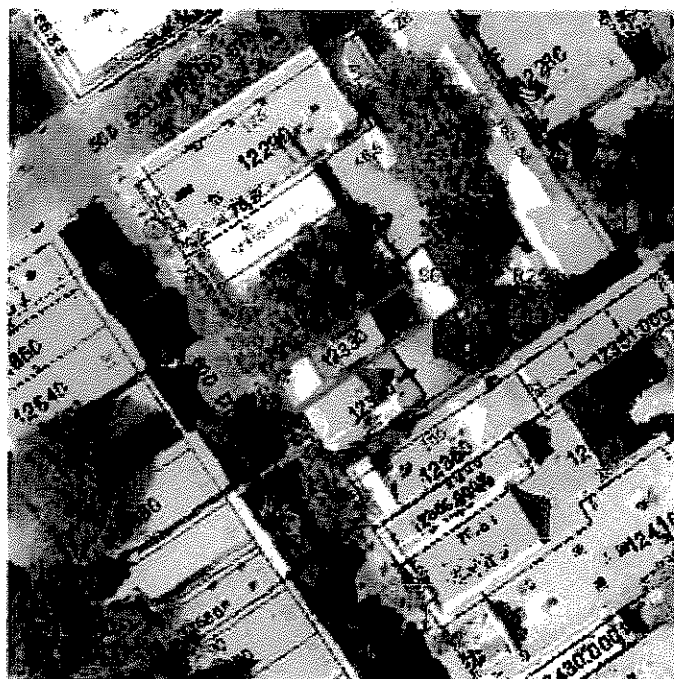
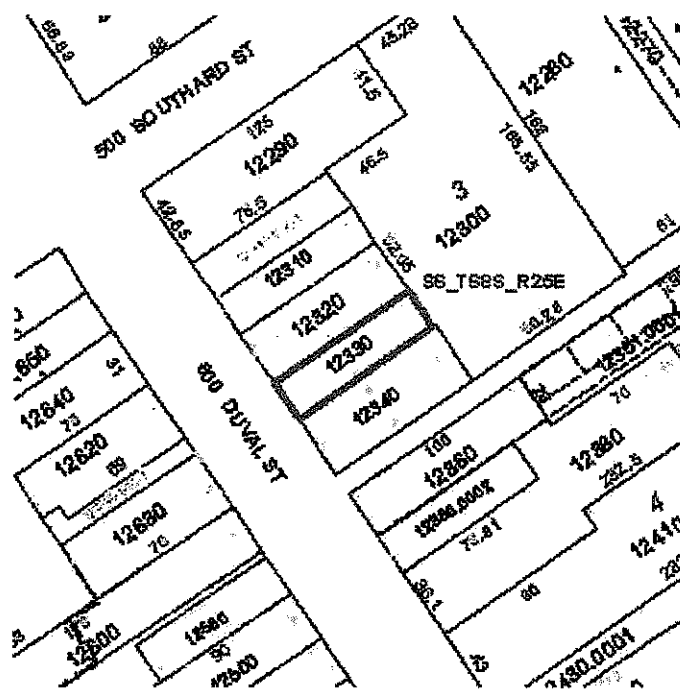
 Planning Director



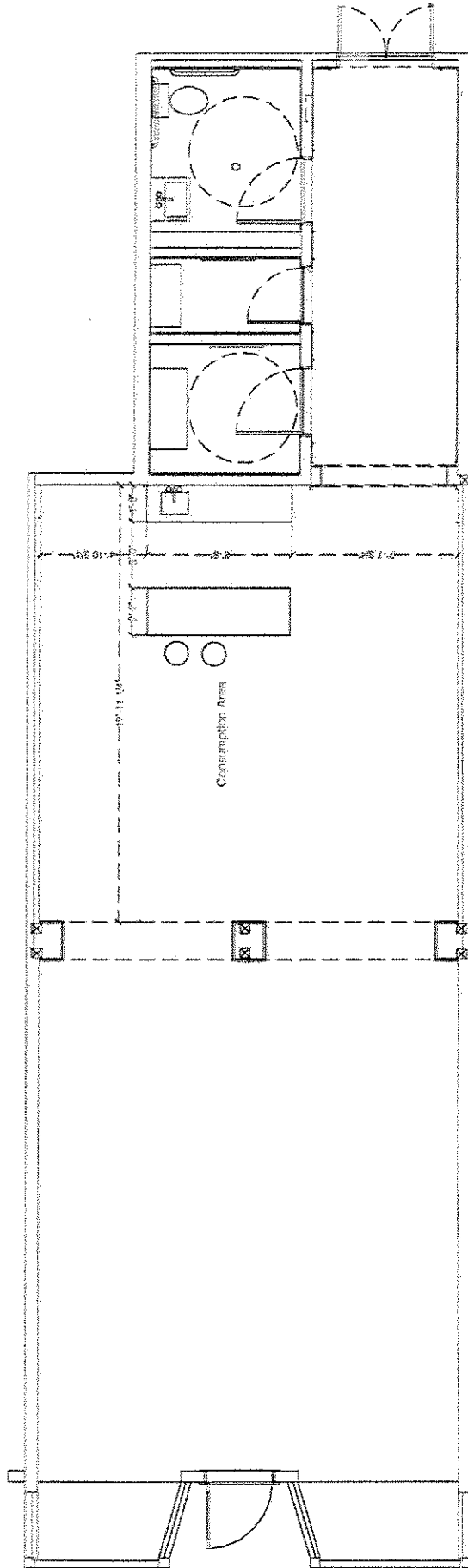
Google earth

feet 10
meters 3


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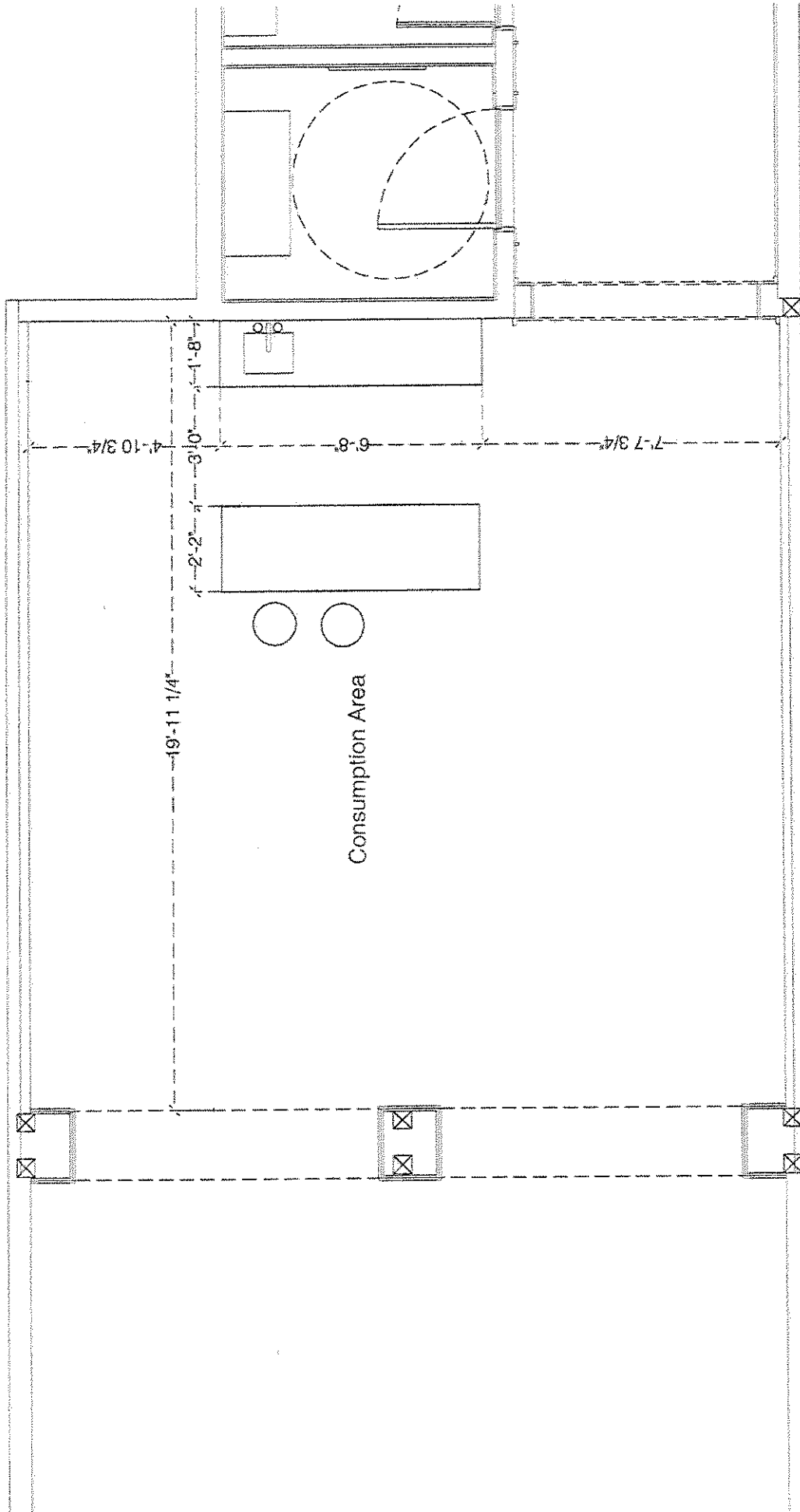


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611 Duval St. Floor Plan - Consumption Area Detail


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RC
117.19